



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

July 7, 2016

(Via email and Certified Mail)

CERTIFIED MAIL

NO. 7015 1520 0001 8019 7504

Mr. Gabriel Soto
Warehouse and Facility Supervisor
City of Montebello
400 South Taylor Avenue
Montebello, California 90640
gsoto@cityofmontebello.com

**SUBJECT: FAILURE TO COMPLY; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT MONTEBELLO CORPORATE YARD, 400 SOUTH TAYLOR
AVENUE, MONTEBELLO**

Dear Mr. Soto:

As of the date of this letter, the State Water Resources Control Board (State Water Board) has not received a response to our May 4, 2016 Notice of Violation (NOV)(attached). You are directed to correct the ongoing violations identified in the NOV and submit compliance documentation to the State Water Board and Los Angeles County Department of Public Works within ten (10) days from the date of this letter.

Please send all compliance documentation to the following:

State Water Board

Mr. Thomas Henderson
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
1001 I Street, 16th Floor
Sacramento, California 95814
tom.henderson@waterboards.ca.gov

Local CUPA

Mr. Luke Mitchell
Associate Civil Engineer
Los Angeles County Department of
Public Works
900 S. Fremont Avenue
Alhambra, California 91803
lmitchell@dpw.lacounty.gov

Failure to comply with this notice may result in an enforcement action by the State Water Board. The State Water Board reserves the right to bring an action against the owner and/or operator of the tank(s) in violation, or it may recommend that Los Angeles County Department of Public Works pursue enforcement, or Los Angeles County Department of Public Works may elect to pursue enforcement independently.

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at Amantha.Henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

Attachment: May 4, 2016 Notice of Violation

cc: *(via email only)*

Mr. Tim Smith
Civil Engineer
Los Angeles County Department
of Public Works
tsmith@dpw.lacounty.gov

Mr. Luke Mitchell
Associate Civil Engineer
Los Angeles County Department
of Public Works
lmitchell@dpw.lacounty.gov

Mr. Joseph Baiocco
Inspection Unit Supervisor
Los Angeles County Department
of Public Works
jbaiocco@dpw.lacounty.gov

State Water Resources Control Board

May 4, 2016

(Via email and Certified Mail)

CERTIFIED MAIL

NO. 7015 1520 0001 8019 6477

Mr. Gabriel Soto
Warehouse and Facility Supervisor
City of Montebello
400 South Taylor Avenue
Montebello, California 90640
gsoto@cityofmontebello.com

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT MONTEBELLO CORPORATE YARD, 400 SOUTH TAYLOR
AVENUE, MONTEBELLO**

Dear Mr. Soto:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on April 26, 2016, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and title 23, California Code of Regulations (CCR), chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain Primary Containment – A diesel leak was observed in dispenser 3/4.	Tank 5	April 26, 2016	Ongoing	H&SC 25291(a)(1); 23 CCR 2631(a), 2712(j)
2	Failure to Maintain Tank Information Forms – The tank information forms contain incorrect and incomplete information. Additionally, the piping to the generator must be added to the tank information forms.	All	April 26, 2016	Ongoing	23 CCR 2711(a)
3	Failure to Maintain Plot Plan/Site Map – The site map does not include the piping to the generator or dispensers.	All	April 26, 2016	Ongoing	H&SC 25286(a); 23 CCR 2711(a)(8)

No.	Violation	Tank	Start Date	Stop Date	Regulation
4	Failure to Maintain Monitoring Plan – The monitoring plan incorrectly states tank monitoring by automatic tank gauge and lists mechanical line leak detectors.	All	April 26, 2016	Ongoing	H&SC 25286(a); 23 CCR 2632(d)(1), 2634(a),(b),(c) and (d), 2711(a)(9)
5	Failure to provide Designated Operator Training – The designated operator training form was incorrectly dated without the year training was performed.	All	April 26, 2016	Ongoing	23 CCR 2715(f)(3)
6	Failure to Maintain Financial Responsibility – The Chief Financial Officer letter is expired and using an unapproved format.	All	April 26, 2016	Ongoing	H&SC 25292.2; 23 CCR 2711(a)(11)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and the Los Angeles County Department of Public Works within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Mr. Thomas Henderson
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
1001 I Street, 16th Floor
Sacramento, California 95814
tom.henderson@waterboards.ca.gov

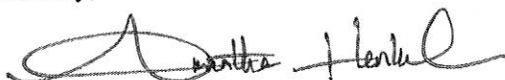
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If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: See next page.

cc: *(via email only)*

Mr. Tim Smith
Civil Engineer
Los Angeles County Department
of Public Works
tsmith@dpw.lacounty.gov

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of Public Works
lmitchell@dpw.lacounty.gov

Mr. Joseph Baiocco
Inspection Unit Supervisor
Los Angeles County Department
of Public Works
jbaiocco@dpw.lacounty.gov

Mr. Jose Melendez
Shop Maintenance Supervisor
Montebello Bus Lines
jmelendez@cityofmontebello.com